

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AARON LEE JONES,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:06cv986-MHT
	)	
RICHARD ALLEN,	)	
Commissioner, Alabama	)	
Department of Corrections,	)	
in his individual and	)	
official capacities, and	)	
GRANTT CULLIVER, Warden,	)	
Holman Correctional	)	
Facility, in his individual	)	
and official capacities,	)	
	)	
Defendants.	)	

ORDER

Because the court has considered matters outside the pleadings, it is ORDERED that the defendants' motion for judgment on the pleadings (doc. no. 24) is denied, with the result that the court will consider their alternative motion for summary judgment (doc. no. 24) on the merits.

DONE, this the 17th day of April, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE